

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R.
§1.53(b)

Attorney Docket: 622/43770CO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box PATENT APPLICATION
Commissioner for Patents
Washington, D.C. 20231

September 28, 2001

Sir:

This is a request for filing a X continuation application under 37 C.F.R. 1.53(b), of pending prior application:

Serial No. 09/537,292
Filed on March 29, 2000
Of Hans BRAENDLE, et al.
Entitled: TOOL WITH TOOL BODY AND PROTECTIVE LAYER SYSTEM
Examiner: Blackwell Rudasil, G.
Group: 1775

- X 1. Accompanying this order is a true copy of the prior application as originally filed.

Total pages 1-24, plus 4 pages of Formal Drawings showing Figs. 1-5 and Appendix A pages 1-24.

2. New Formal drawings are being filed herewith consisting of sheet(s), depicting Figures .

- X 3. Declaration and Power of Attorney:

- a. Newly executed (original or copy)
- b. X Copy from prior application
- i. Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application

- X 4. Incorporation by Reference:



The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

- ___ 5. Cancel original claims .
- ___ 6. Small entity status:
- a. ___ A small entity statement is enclosed
- b. ___ A statement of small entity status (copy attached) was filed on ___ in the prior application and status as a small entity is still proper and desired.
- c. ___ Is no longer claimed
- X 7. The filing fee is calculated below:

**CLAIMS AS FILED, INCLUDING ANY CLAIMS
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT**

Basic Fee				\$355		\$710
Total Claims	21	- 20	=	9	= \$	18 = \$
Ind. Claims	1	- 3	=	40	= \$	80 = \$
Multiple Dependent Claims				+	135 = \$	270 = \$
Total					\$	\$710.00

- ___ 8. Please charge my Deposit Account No. 05-1323 (Docket #___) in the amount of \$___.
- X 9. A check in the amount of \$ 710.00 to cover the filing fee is enclosed.
- X 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #622/43770C0).
- X 11. Amend the specification by inserting before the first line the sentence: This application is a continuation of application Serial No. 09/537,292, filed March 29, 2000.

12. Priority of Appln. No(s). _____, filed in _____ on _____, is hereby claimed under 35 U.S.C. 119.
13. A certified copy of each said priority document was filed in application Serial No. _____ on _____.
- X 14. The prior application is assigned of record to Balzers Aktiengesellschaft.

- X 15. The power of attorney in the prior application is to:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.

- X a. The power appears in the original application papers in the prior application.
- _____ b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.
- _____ c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.
- X d. Address all future correspondence to:

CROWELL & MORING, L.L.P.
P.O. Box 14300
Washington, DC 20044-4300

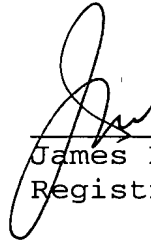
- X 16. Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.
- X 17. A Preliminary Amendment is being filed herewith.

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X 18. Return Receipt Postcard.

 19. Other:

Respectfully submitted,



James F. McKeown
Registration No. 25,406

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Washington, D.C. 20005
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JFM:cdh

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